

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **COOPER ET AL.**

**Serial No.: 09/306,189**

**Filed: 5/06/99**

# For: Method and Apparatus for Converting Programs and Source Code Files Written in a Programming Language to Equivalent Markup Language Files

www.ck12.org

Group Art Unit: 2176

**Examiner: Romero, Almari C.**

**Attorney Docket No.: AT9-98-920**

**Certificate of Transmission Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being transmitted via facsimile to the Assistant Commissioner of Patents, Washington, D.C. 20231, facsimile number (703) 746-7238 on March 18, 2003.

By:

Cheryl L. Hewitt

**PRELIMINARY AMENDMENT**

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

This amendment is filed in conjunction with a continuation. All necessary fees are discussed in the cover sheet for the continuation.

Prior to continued examination of this application, please amend the above-identified application as follows:

34 70-4007  
 35 70-4254  
 36 70-4340

750	AA	BU
500	AA	BU
400	AA	BU

**Carstens,  
Yee &  
Cahoon, L.L.P.**

13760 Noel Road  
Suite 900  
Dallas, Texas 75240

Main No. (972) 367-2001  
Facsimile (972) 367-2002

## Facsimile Cover Sheet

To: Assistant Commissioner for Patents Box CPA Washington, DC 20231	Facsimile No.: 703/746-7238
From: Cheryl Hewitt Legal Assistant to Betty Formby	No. of Pages Including Cover Sheet: <u>15</u>
<b>Message:</b>  Enclosed herewith: <ul style="list-style-type: none"><li>• Continued Prosecution Application (CPA) Request Transmittal (in duplicate);</li><li>• Preliminary Amendment; and</li><li>• Receipt for Facsimile Transmitted CPA.</li></ul>	
Re: Application No. 09/306,189 Attorney Docket No: AT9-98-920	
Date: Tuesday, March 18, 2003	
<b>Please contact us at (972) 367-2001 if you do not receive all pages indicated above or experience any difficulty in receiving this facsimile.</b>	<i>This Facsimile is intended only for the use of the addressee and, if the addressee is a client or their agent, contains privileged and confidential information. If you are not the intended recipient of this facsimile, you have received this facsimile inadvertently and in error. Any review, dissemination, distribution, or copying is strictly prohibited. If you received this facsimile in error, please notify us by telephone and return the facsimile to us immediately.</i>

**PLEASE CONFIRM RECEIPT OF THIS TRANSMISSION  
BY FAXING A CONFIRMATION TO 972-367-2002.**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of: Cooper et al.

Serial No.: 09/306,189

Filed: May 6, 1999

For: Method and Apparatus for  
Converting Programs and Source  
Code Files Written in a Programming  
Language to Equivalent Markup  
Language Files

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Group Art Unit: 2176

Examiner: Romero, Almari Del Carmen

Attorney Docket No.: AT9-98-920

Certificate of Transmission Under 37 C.F.R. § 1.8(a)

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2003.

By:

Cheryl Hewitt

TRANSMITTAL DOCUMENT

Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

ENCLOSED HEREWITH:

- CPA Request Transmittal (in duplicate);
- Preliminary Amendment; and
- Receipt for Facsimile Transmitted CPA.

A fee of \$1,446.00 is believed to be necessary. I authorize the Commissioner to charge these fees to IBM Corporation Deposit Account No. 09-0447. If any additional fees are required, please charge these fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Duke W. Yee  
Registration No. 34,285  
CARSTENS, YEE & CAHOON, LLP  
P.O. Box 802334  
Dallas, Texas 75380  
(972) 367-2001  
ATTORNEY FOR APPLICANTS

#10

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☒ DUPLICATE

## Address to:

Assistant Commissioner for Patents  
Box CPA  
Washington, DC 20231Attorney Docket No.  
of Prior Application

AT9-98-920

First Named Inventor

Cooper et al.

Examiner Name

Romero, A. Del Carmen

Group Art Unit

2176

Express Mail Label No.

sent via fax

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d).(continued prosecution application (CPA)) of prior application number 09 / 306,189Method and Apparatus for Converting Programs and Source Code Files Written in  
filed on 05/06/1999, entitled a Programming Language to Equivalent Markup Language Files**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 18, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(e).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

PTO/SB/29 (10-00)

Approved for use through 10/31/2002. OMB 0861-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.18(c) or (i))	26	-20* =	6	x \$ 18 =	\$ 108.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	10	-3** =	7	x \$ 84 =	588.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ =	0.00
				BASIC FEE (37 CFR 1.16)	750.00
				Total of above Calculations =	1,446.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					
TOTAL =					1,446.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 09 - 0447:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ \_\_\_\_\_ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.
11. ☐ New Attorney Docket Number, if desired \_\_\_\_\_  
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. ☒ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: \_\_\_\_\_

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label		35525		or <input type="checkbox"/> New correspondence address below	
(Insert Customer No. or Attach bar code label here)					
Name					
Address					
City	State	Zip Code			
Country	Telephone	Fax			

15. SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED	
Name (Print type)	Duke W. Yee
Signature	<i>Duke W. Yee</i>
Registration No. (Attorney/Agent)	34,285
Date	March 18, 2003

[Page 2 of 2]

PTO/SB/29A (08-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in item 1.

**1. ADDRESS**

Applicant's Mailing Address for this receipt must be CLEARLY PRINTED or TYPED in the box below.

Duke W. Yee  
Carstens, Yee & Cahoon, L.L.P.  
P.O. Box 802334  
Dallas, Texas 75380

**NOTE:** By this receipt, the USPTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the USPTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

**2. APPLICATION IDENTIFICATION:**

(Provide at least enough information to identify the application)

**a. For prior application**

Application No.: 09/306,189

Filing Date: 05/06/1999

Title: Method and Apparatus for Converting Programs and Source Code Files Written in a Programming Language to Equivalent Markup Language Files

Attorney Docket No.: AT9-98-920

First Named Inventor: Cooper et al.

**b. For instant CPA application**

New Attorney Docket No.:

N/A

(If applicable)

The USPTO date stamp, which appears in the box to the right, is an acknowledgement by the USPTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

(THIS AREA FOR PTO DATE STAMP USE)

**USPTO HANDLING INSTRUCTIONS:**

Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the USPTO and also include the USPTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope and mail.

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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